

UNITED STATES BANKRUPTCY COURT
Eastern District of Wisconsin

In the Matter of:

**Grant Russell Garvens
Angela Juliann Villas**

Debtor(s).

Chapter 13

Case No. 14-20187-svk

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Grant Russell Garvens Angela Juliann Villas (Name of proponent of modification)
has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue
Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

**Robert E. Haney 1023054
Law Shield of Wisconsin, LLC
7635 W. Bluemound Road, Ste. 217
Milwaukee, WI 53213**

If you, or your attorney, do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

**Robert E. Haney
Law Shield of Wisconsin, LLC
7635 W. Bluemound Road, Ste. 217
Milwaukee, WI 53213
414-271-5656
414-271-6339**

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

- ☒ the Debtor;
☐ the Chapter 13 Trustee (post-confirmation modifications only);
☐ the holder of an unsecured claim (post-confirmation modifications only).

Name: _____

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

- ☒ A. post-confirmation;
☐ B. pre-confirmation (Select i. or ii);
- ☐ i. Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
- ☐ ii. Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)).
The creditors affected are: (Enter creditors)

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:
Account for the payment of a \$682.13 shortfall in the payment of 1/2 of the 2014 and 2015 income tax refunds.

4. The reason(s) for the modification is/are:
There is a \$682.13 shortfall in the payment of 1/2 of the 2013 and 2014 income tax refunds.

5. Select A. or B.

☒ A. The Chapter 13 Plan confirmed or modified on June 11, 2014 is modified to add the following language to Section 10 as an additional paragraph:

To fulfill the obligation of the Debtors to pay 1/2 of all state and federal income tax refunds, the \$682.13 shortfall of payments made each year shall be paid through additional payments made periodically during the course of the plan. Debtors shall pay 1/2 of all future tax refunds within 30 day upon receipt of said tax refunds. The payment of 1/2 of all income tax refunds received by the debtors during the course of the plan, including all shortfalls, shall be completed by August 31, 2018.

☐ B. The unconfirmed Chapter 13 Plan dated _____ is modified as follows:
(State the specific language of the modification.)

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. **BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

CERTIFICATION

I, **Robert E. Haney**, attorney for debtor(s) **Grant Russell Garvens** and **Angela Juliann Villas**
certify that I have reviewed the modification proposed above with the debtor(s), and that the debtor(s) has/have authorized
me to file it with the court.

-s/-
Counsel for the debtor(s)

9/30/2015
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: **September 30, 2015**

at Milwaukee, Wisconsin

Attorneys for **Grant Russell Garvens** **Law Shield of**
Angela Juliann Villas **Wisconsin, LLC**
By: **Robert E. Haney -s/-**
Bar No. **1023054**